

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

PRESENT:  
**THE HON'BLE SMT JUSTICE T.MEENA KUMARI**  
**&**  
**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION NO :17855 of 2007**

-  
**DATED:23.8.2007.**

Between:  
H.Sudharkar

.....  
**PETITIONER**

AND

1.The Govt of A.P rep by its Principal Secretary, Higher  
Education, Secretariate, Hyderabad & others

.....**RESPONDENTS**

**THE HON'BLE SMT JUSTICE T.MEENA KUMARI  
&  
THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION NO:17855 OF 2007**

The petitioner has filed the present writ petition seeking to declare the action of the tribunal in not granting the interim order in O.A.No:4428 of 2007 as illegal and consequently, set aside the order of transfer, dated 15.7.2007 impugned therein by directing the respondents to reinstate the petitioner in the same place from where he was transferred.

The petitioner is the applicant. He has filed the O.A. seeking to declare the action of the respondents in transferring him as illegal and quash the said transfer order by directing the respondents to reinstate him in the place from where he was transferred. But, the tribunal has not granted any interim relief to the applicant. Thereby, the applicant has approached this Court by way of the present writ petition.

Heard the learned counsel for the applicant as well as the learned G.P for Education.

Admittedly, the transfer in question is from Warangal to Hanumakonda. The grievance of the applicant is that his service at the previous station is only two years nine months

and as per G.O.Ms.No:100, dated 1.5.2007, certain procedure has been adopted for transfer of an employee who had completed, but without following the principles laid down in the said G.O., the transfer has been affected and therefore, the same is illegal. Except making bald allegations against the 4<sup>th</sup> respondent who is not the transferring authority, nothing has been elicited as to the malafides, if any as to his transfer. That too, the transfer in question is to a neighbouring place, but not to that of a far off place. Apart from that, transferring of an employee, is within the domain of the authorities and the same would be affected only in order to suit the convenience of the administration. Unless and unless the transfer is a biased one or based on some malafides, the Courts will not interfere. Therefore, the order of transfer impugned in this writ petition as well as in the O.A, needs no interference.

Hence, We see no merits in this writ petition and the same is liable to be dismissed. Accordingly, W.P. is dismissed.

(JUSTICE T.MEENAKUMARI)

23<sup>rd</sup> August, 2007

(JUSTICE G.CHANDRAIAH)

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**THE HON'BLE SMT. JUSTICE T.MEENA KUMARI  
&  
THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

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**WRIT PETITION NO:17855 of 2007**  
**(Order delivered by the Honourable Smt.Justice T.Meena**  
**Kumari)**

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**23<sup>rd</sup> August, 2007.**